

IN THE HIGH COURT OF PUNJAB AND HARYANA
AT CHANDIGARH

CWP-19953-2014 (O&M)
Date of decision: 15.11.2016

Jagnath Rathee

.....Petitioner

versus

UHBVN Limited and others

.....Respondents

CORAM: Hon'ble Mr.Justice Kuldip Singh

Present: Mr.Naveen Daryal, Advocate for the petitioner
Mr.P.S.Poonia, Advocate for the respondents

1. *Whether Reporters of Local Newspapers may be allowed to see the judgment ?*
2. *To be referred to the Reporters or not ?*
3. *Whether the judgment should be reported in the Digest?*

Kuldip Singh, J. (Oral)

The petitioner retired from the service on 31.10.2005 as J.E. (Field). The petitioner filed this writ petition in this Court in the year 2014, stating that his pensionary benefits in the form of pension, gratuity, GIS, leave encashment have not been released so far.

From the written statement, it comes out that on 14.11.2014 i.e. after the filing of the writ petition, a letter was written to the petitioner to submit pension papers. It was followed by another letter dated 17.12.2014.

I am of the view that when an employee retires, the department is supposed to initiate process of completion of pension papers six months before his retirement. But there is nothing on file to show that said process was initiated six months before his retirement or even after the retirement of the petitioner. No letter has been placed on record by the respondents to show that such process was initiated. The present petition was filed claiming pensionary benefits have been released after imposing some cut for which

separate writ petition bearing No.669 of 2016 is pending.

In the circumstances, I am of the view that since the respondents used the money of the petitioner, therefore, the petitioner is entitled to interest on the delayed payment. Therefore, the petitioner shall be entitled to interest @ 9% per annum starting three months from the date of his retirement till payment.

The writ petition is accordingly disposed of.

15.11.2016

gk

**(Kuldip Singh)
Judge**

Whether speaking/ reasoned:

Yes

Whether Reportable:

No